



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,577	12/18/2001	Naotaka Hanai	01227	5700

23338 7590 07/08/2004

DENNISON, SCHULTZ, DOUGHERTY & MACDONALD
1727 KING STREET
SUITE 105
ALEXANDRIA, VA 22314

EXAMINER


A, PHI DIEU TRAN

ART UNIT	PAPER NUMBER
----------	--------------

3637

DATE MAILED: 07/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/020,577	Applicant(s) HANAI ET AL.	
	Examiner Phi D A	Art Unit 3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/22/04 has been entered.

PRODUCT BY PROCESS CLAIM:

“ The subject matter present in claims 24-27, 43 is regarded as a product by process claim in which a product is introduced by the method in which it is made. It is the general practice of this office to examine the final product described regardless of the method provided by the applicant.”

The limitations “ in situ”, and “extruding a molten or substantially liquid molding material”, “is formed by removing a flush along the outer peripheral edge” are Product By Process limitations, and thus treated accordingly to the above office policy.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 41, 45 are rejected under 35 U.S.C. 102(b) as being anticipated by Kunert (4571278).

Kunert shows a panel unit comprising glass or resin, the panel having at least an outer chamfered portion along its periphery, which portion having an outer peripheral edge that

Art Unit: 3637

corresponds to an outer surface of the panel, a molding (10) formed along a periphery of the panel and having a molding body, the molding body having a side wall portion, which portion having a peripheral edge that substantially aligns with the outer peripheral edge, the side wall portion having an outer surface that is substantially flush with the pane outer surface (figure 1), the peripheral edge of the side wall portion being flush with the panel outer surface (figure 2).

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 24, 26, 29, 31, 33, 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kunert (4571278) in view of Adell (4817335).

Kunert (figure 1) shows a panel unit comprising a panel (1) comprising glass or resin, an in situ formed molding (10) formed along a peripheral edge of the panel having an extension that partially covers an outer surface of the panel and an end surface of the extension is inclined at an obtuse angle relative to the panel outer surface, the extension having an outer surface that is substantially flush with the panel outer surface (figure 1), the panel comprising a transparent glass pane, the periphery being circumferentially chamfered, the molding is formed along a peripheral edge of the glass pane, a peripheral edge of the molding substantially aligns with an outer peripheral edge of the outered chamfered portion, the molding body having an extension that partially covers an outer surface of the panel, the extension having a cutting surface formed

Art Unit: 3637

thereon, a peripheral edge of an inner surface of the glass pane is coated with a substantially opaque frit layer (6), an inner wall portion of the molding body is bonded to the frit layer via an adhesive layer(4), the flush extending from the side wall portion toward the panel outer surface beyond the outer peripheral edge, the peripheral edge of the side wall portion is flush with the panel outer surface.

Kunert does not show a removable adhesive cover tape disposed between the extension of the molding and the panel surface.

Adell discloses a removable adhesive tape (28, figure 2) disposed between the extension of a molding and a panel surface (figure 1).

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Kunert to show a removable adhesive cover tape disposed between the extension of the molding and the panel surface because it would ensure the securing of the molding to a panel as taught by Adell.

3. Claims 25, 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kunert (4571278) in view of Adell (4817335).

Kunert as modified by Adell shows all the claimed limitations except for the tape having a thickness of about 0.03 to 1.0 mm and comprising a first layer comprising a synthetic resin and a second layer comprising a removable self-adhesive material.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Kunert's modified structure to show the tape having a thickness of about 0.03 to 1.0 mm and comprising a first layer comprising a synthetic resin and a second layer comprising a removable self-adhesive material because having the tape made of a synthetic resin

Art Unit: 3637

layer and a self-adhesive material layer would enable the easy attaching and removing of the tape from the surface of the panel, and having the thickness of the tape of about 0.03 to 1.0mm would ensure the tape is strong enough to secure the molding and the panel together while not too thick as to create a large separation between the molding and panel, also, the use of different dimensions of the tape appears to be an obvious matter of engineering design choice as a designer would certainly choose a thickness of the tape that matches his/her need.

4. Claims 28, 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kunert (4571278) in view of Adell (4817335).

Kunert as modified shows all the claimed limitations except for the sealing lip being formed of a more elastic material than the molding body.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Kunert's modified structure to show the sealing lip being formed of a more elastic material than the molding body because having a more elastic sealing lip would enable the lip to easily flex and mate with panel wall to seal the panel, and it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice, *In re Leshin*, 125 USPQ 416.

5. Claims 30, 32, 34, 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kunert (4571278) in view of Adell (4817335) as applied to claim 26 above and further in view of Mozawa et al.

Kunert as modified shows all the claimed limitations except for the panel comprising a laminated glass pane that is constructed from two glass plates and a transparent resin sheet that is interleaved therebetween.

Art Unit: 3637

Mozawa et al shows a panel comprising a laminated glass pane that is constructed from two glass plates and a transparent resin sheet that is interleaved therebetween.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Kunert's modified structure to show the panel comprising a laminated glass pane that is constructed from two glass plates and a transparent resin sheet that is interleaved therebetween because it is well known in the art to construct a panel of two laminated glass interleaved therebetween with a transparent resin sheet as it provides good insulation property for the glass panel.

6. Claims 42-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kunert (4571278).

Kunert shows a panel unit comprising glass or resin, the panel having at least an outer chamfered portion along its periphery (figure 4), which portion having an outer peripheral edge that corresponds to an outer surface of the panel, a molding (38) formed along a periphery of the panel and having a molding body, the molding body having a side wall portion, which portion having a peripheral edge that substantially aligns with the outer peripheral edge, the periphery of the panel being applied with an adhesive layer (4) which covers the outer chamfered portion and an end surface of the panel, the side wall portion being disposed such that the peripheral edge of the side wall portion substantially aligns with a periphery of the adhesive layer and is bonded to the panel end surface and the outer chamfered portion by the adhesive layer.

Kunert (figure 4) does not show the molding having side wall portion having an outer surface that is substantially flush with the panel outer surface.

Art Unit: 3637

Kunert (figures 1-2) shows a molding having side wall portion having an outer surface that is substantially flush with the panel outer surface.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Kunert's structure to show the molding having side wall portion having an outer surface that is substantially flush with the panel outer surface because it would enable the molding to be flush with the outer glass panel surface to enhance the covering of the edge of the panel.

7. Claim 44 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kunert (4571278) in view of Mozawa et al.

Kunert shows all the claimed limitations except for the panel comprising a laminated glass pane that is constructed from two glass plates and a transparent resin sheet that is interleaved therebetween.

Mozawa et al shows a panel comprising a laminated glass pane that is constructed from two glass plates and a transparent resin sheet that is interleaved therebetween.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Kunert's structure to show the panel comprising a laminated glass pane that is constructed from two glass plates and a transparent resin sheet that is interleaved therebetween because it is well known in the art to construct a panel of two laminated glass interleaved therebetween with a transparent resin sheet as it provides good insulation property for the glass panel.

Art Unit: 3637

8. Claims 39-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kunert (4571278) in view of Adell (4817335)

Kunert as modified shows all the claimed limitations except for the adhesive being hot melt adhesive.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Kunert's modified structure to show the adhesive being hot melt adhesive because hot melt adhesive is a well known adhesive for adhering mating surfaces together and readily available.

Response to Arguments

9. Applicant's arguments with respect to claims 24-46 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

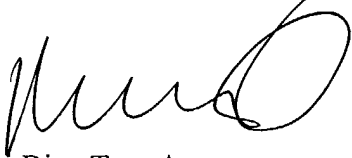
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art shows different panel forming designs.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phi D A whose telephone number is 703-306-9136. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 703-308-2486. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3637

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Phi Dieu Tran A', with a large, stylized loop at the end.

Phi Dieu Tran A

7/1/04